

REMARKS

Claims 1- 15 and 22 - 28 are pending. Claims 16 – 21 were previously canceled without waiver or prejudice to file in a continuing/divisional application.

As an initial matter Applicant requests that the Final status be withdrawn as premature, since the Examiner did not in fact cite a *new* reference against the new limitations added to the main independent claims (1, 22). As noted in the Office Action, the Examiner has simply relied – again - on the *previously* cited Junqua et al. reference against the “search predicates” and “logical operators” language that was added by amendment. The Kupiec reference (5.500,920) newly cited by the Examiner is acknowledged to not disclose the limitation in question (see e.g, page 4 of the Office Action, first full paragraph). Rather, Kupiec was introduced as a replacement for the Philips reference which is now withdrawn. Since Kupiec (rather than Philips) could have been cited before, and Applicants could have responded at such time, the designation of the Office Action as final is not consistent with the MPEP and CFR.

In any event Applicant submits that the present amendment should be entered because it clearly places the claims in condition for allowance (or in better condition for review on appeal) and should overcome any concerns the Examiner has at this point. To wit, the claims were newly rejected under § 103 in light of a combination of new references including:

- Claims 1 – 3, 5, 9, 22 – 25: Kupiec (5,500,920) taken with Junqua et al. (6,314,398);
- Claim 4: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) taken with McDonough et al. (5,625,748)
- Claims 6 and 13: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Barclay et al. (5,960,399)
- Claims 7 – 8; 14 and 26: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Appelt et al. (6,601,026);
- Claims 10 – 12 and 27 – 28; Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Joost (6,601,026);
- Claim 15: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Agarwal et al. (5,842,196).

Each of the rejections are addressed in detail below. Based on the arguments and Amendments the Applicants request favorable reconsideration.

Response to Rejections Claims 1 – 3, 5, 9 and 22 – 25 based on Kupiec (5,500,920) taken with Junqua et al. (6,314,398)

The primary rejection is now based on Kupiec (5,500,920) taken with the Junqua et al. reference. The new rejection is traversed based on the arguments presented below.

As an initial matter, Applicant traverses the argument on page 10 of the Office Action that "...it is maintained that a search predicate does not necessarily require logical operators." While that may be so, the relevance of this contention is effectively moot at this point as the claims specifically recite the use of such:

"...wherein said search predicates **correspond to logical operators** to be satisfied by a potential recognition match; ..."

Thus, the Examiner cannot ignore the limitation, even if he believes that in the abstract search predicates may include other characteristics.

More importantly Applicant cannot find any mention by the Examiner or citation – on page 4 of the Office Action – on how Junqua et al. discloses such types of search predicates. The Examiner does mention, in passing on page 11, that looking for all words in a query *may* "imply" an AND operator.

Since this is the only remaining concern on the Examiner's mind, the Applicant submits that this is easily rectified. Applicant believed that the prior recitation of operatorsu already made it clear that different types are generated by the natural language engine. Nonetheless, to make this distinction more apparent, Applicant has amended the claim to recite more explicitly that "at least two different types" of search predicates can be generated.

Based on the present amendment Applicant submits that claim 1 should be determined to contain allowable subject matter. Reconsideration is thus respectfully requested.

Dependent claims 2 – 3, 5 and 9: these claims should be allowable for the same reasons as claim 1 and for the reasons of record set out in Amendment A incorporated

by reference herein. Moreover as to these claims, they include limitations which again refine the broader embodiments in a fashion not disclosed in the prior art.

Independent claim 22 and dependent claims 24 – 25 should be allowable for at least the same reasons already expressed above.

Response to rejection of Claim 4: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) taken with McDonough et al. (5,625,748)

Dependent claim 4: this claim should be allowable for the same reasons as claim 1. McDonough et al. does not cure any of the deficiencies of the other references in this regard. Furthermore McDonough et al. is apparently generally discussing a mapping of messages to topics. The Examiner states that McDonough et al. employs a Kullback-Liebler distance measure; but there is no indication that this is the same as claim 4 in which a specific term frequency calculation is based on calculating a lexical distance between each word of the recognized query and the topic query entries.

Rejection of Claims 6 and 13: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Barclay et al. (5,960,399)

Dependent claims 6 and 13: these claims should be allowable for the same reasons as claims 1 and 22 above and for the reasons of record from Amendment A which are incorporated by reference herein.

Rejection of claims 7 – 8; 14 and 26: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Appelt et al. (6,601,026);

Dependent claims 7, 8, 14 and 26: these claims should be allowable for the same reasons as claims 1 and 22 above and for the reasons of record from Amendment A which are incorporated by reference herein. Appelt et al. does not cure any of the deficiencies of the other references in this regard. Thus, further scrutiny of such reference does not appear necessary at this time to examine its relevance to the additional limitations of these dependent claims, or whether it would have been obvious to combine the same with the other references.

Rejection of Claims 10 – 12 and 27 – 28; Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Joost (6,601,026);

These claims should be allowable for the same reasons as claims 1 and 22 above and for the reasons of record from Amendment A which are incorporated by reference herein. Joost is not believed to cure the deficiencies of the other references in this regard, and does not appear to show any degree of optimization as set out in claim 12, or the distribution of operations set out in claim 28.

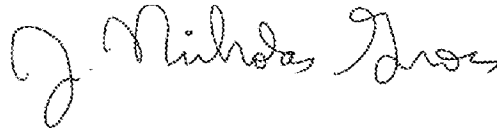
Rejection of Claim 15: Kupiec (5,500,920) taken with Junqua et al. (6,314,398) and Agarwal et al. (5,842,196);

This claim should be allowable for the same reasons as claims 1 and 22 above and for the reasons of record from Amendment A which are incorporated by reference herein.

Conclusion

Applicant has addressed all the outstanding issues presented in the most recent Office Action in earnest fashion to place the claims in condition for allowance over the prior art. Should the Examiner wish to discuss anything related to this case in person, feel free to contact the undersigned at any convenient time.

Respectfully submitted,

A handwritten signature in cursive script, reading "J. Nicholas Gross". The signature is written in dark ink and is positioned below the "Respectfully submitted," text.

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